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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
DEANZER ARLEE CLARK,)
a/k/a "Deanzer Clark,")
a/k/a "Deaner Clark,")
a/k/a "D.A.,")
Defendant.)

No. CR-10-000293 PJH

~~PROPOSED~~ ORDER TO EXCLUDE
TIME UNDER THE SPEEDY TRIAL ACT
FROM JULY 12, 2010 TO JULY 23, 2010

Date: July 23, 2010
Time: 10:00 a.m.
Court: Hon. Donna M. Ryu

The Defendant, Deanzer Arlee Clark, represented by Assistant Federal Public Defender, Joyce Leavitt, and the United States, represented by Wade M. Rhyme, Assistant United States Attorney, appeared before United States Magistrate Laurel Beeler on July 12 and July 15, 2010 for detention hearings, in the above-entitled matter.

On July 12, 2010, the Defendant requested to continue the detention hearing to July 15, 2010 in order to review discovery and to consider a proposed plea agreement offer from the government. The Court noted that it had reviewed the Pre-Trial Services report and on that basis ordered the Defendant to be detained and the matter continued to July 15, 2010. The parties

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1 requested, and the Court agreed, that time be excluded under the Speedy Trial Act between July
2 12, 2010 and July 15, 2010.

3 On July 15, 2010, the parties appeared and the Defendant agreed to waive the detention
4 hearing without prejudice in order to continue to review discovery and to continue to consider
5 the proposed plea agreement. On that basis, the parties indicated that they anticipated the case to
6 resolve with a change of plea and jointly requested the matter to be continued to July 24, 2010
7 for change of plea. The parties further agreed that counsel for the Defendant would need
8 additional time to review discovery and to confer the Defendant. The parties again requested,
9 and the Court again agreed, that time be excluded under the Speedy Trial Act between July 15,
10 2010 and July 24, 2010.

11 Accordingly, the parties jointly requested that time be excluded under the Speedy Trial
12 Act between July 12, 2010 and July 24, 2010.

13 Based upon the representation of counsel and for good cause shown, the Court finds that
14 failing to exclude the time between July 12, 2010 and July 24, 2010 would unreasonably deny
15 the Defendant continuity of counsel and would deny counsel the reasonable time necessary for
16 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §
17 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time
18 between July 12, 2010 and July 24, 2010 from computation under the Speedy Trial Act outweigh
19 the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).
20 Therefore, IT IS HEREBY ORDERED that the time between July 12, 2010 and July 24, 2010
21 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and
22 (B)(iv).

23
24 DATED: July 16, 2010



LAUREL BEELER
United States Magistrate Judge